IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 35913 of 2007(A)

PETITIONER:

P.B.ABDUL HAMMEED, S/O.BAVA,
PARATT VATTAMPPARAMIL, VENGOLA.

BY ADV. SRI.T.H.ABDUL AZEEZ
SMT.RACHEL CHERIAN

RESPONDENTS:

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1. THE KERALA STATE WAKF BOARD,
REPRESENTED BY THE CHIEF EXECUTIVE OFFICER,
KALOOR, KOCHI 17.

2. THE CHIEF EXECUTIVE OFFICER,
KERALA STATE WAKF BOARD, KALOOR, KOCHI 17.

BY ADV. SRI.P.A.ABDUL JABBAR, SC, WAKF BOARD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 35913 OF 2007

Dated: December 5, 2007

JUDGMENT

Ext.P1 is an order passed by the 1st respondent in terms of which the parties to the proceedings were directed to submit a draft scheme. Ext.P1 also provides that in the event the parties to the proceedings do not submit a draft scheme, the 2nd respondent shall submit a draft scheme to the 1st respondent for its consideration.

2. It is the contention of the petitioner that the parties to the proceedings did not submit a draft scheme as directed in Ext.P1 and, therefore, the 2nd respondent ought to have submitted a draft scheme. According to the petitioner, in view of the failure of the 2nd respondent in this behalf, the petitioner has submitted Ext.P2 representation before the 2nd respondent to comply with Ext.P1 order. Even thereafter as there has not been any action from the side of the 2nd respondent, this writ petition has been filed.

2. I heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

3. Having regard to the allegations in the writ petition, I dispose of this case directing that if the parties to Ext.P1 have not submitted a draft scheme as directed therein, the 2nd respondent shall do as ordered in Ext.P1, as expeditiously as possible, at any rate, within six weeks from the date of receipt of a copy of this judgment. On receipt of the draft scheme as above from the 2nd respondent, the 1st respondent shall proceed to finalise the same with notice to the parties. This the 1st respondent shall do as expeditiously as possible.

ANTONY DOMINIC, JUDGE